

AN ORDINANCE **99627**

OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, ORDAINING THE CITY'S PARTICIPATION IN THE TEXAS ENTERPRISE ZONE PROGRAM PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE ("ACT"), PROVIDING TAX INCENTIVES, DESIGNATING A LIAISON FOR COMMUNICATION WITH INTERESTED PARTIES, AND NOMINATING TOYOTA MOTOR MANUFACTURING TEXAS, INC. TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT AND TOURISM ("EDT") THROUGH THE ECONOMIC DEVELOPMENT BANK ("BANK") AS A TRIPLE JUMBO ENTERPRISE PROJECT ("PROJECT").

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WHEREAS, the City Council of the City of San Antonio, Texas ("City") desires to create the proper economic and social environment to induce the investment of private resources in productive business enterprises located in severely distressed areas of the City and to provide employment to residents of such area; and

WHEREAS, the enterprise project or activity is located in an area designated as an enterprise zone; and

WHEREAS, pursuant to Chapter 2303, Subchapter F of the Act, Toyota Motor Manufacturing Texas, Inc. has applied to the City for designation as a triple jumbo enterprise project; and

WHEREAS, the City finds that Toyota Motor Manufacturing Texas, Inc. meets the criteria for tax relief and other incentives adopted by the City on the grounds that it will be located at the qualified business site, will create a higher level of employment, economic activity and stability; and

WHEREAS, a public hearing to consider this ordinance was held by the City Council on August 26, 2004 in the Council Chambers at 114 West Commerce; **NOW THEREFORE**:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City nominates Toyota Motor Manufacturing Texas, Inc. for triple jumbo enterprise project status.

SECTION 2. The following local incentives, at the election of the governing body, are or will be made available to the nominated projects or activities of the qualified businesses on a case-by-case basis, taking into consideration the merit of the nominated projects or activities of the qualified businesses:

- a) The City may abate taxes on the increase in value of real property improvements and eligible personal property that locate in a designated enterprise zone. The level of abatement shall be based upon the extent to which the business receiving the abatement makes investments in property improvements, creates jobs for qualified

employees and pays wages in accordance with the City of San Antonio's Tax Phase-In Guidelines,.

- b) The City may defer compliance in the zone with the subdivision and development ordinances or rules, other than those relating to streets and roads or sewer or water services, of the municipality or county, as appropriate.
- c) The City may give priority to the zone for the receipt of:
 - 1) community development block grant money;
 - 2) industrial revenue bonds; or
 - 3) funds received under the federal Job Training Partnership Act (29 U.S.C. Section 1501 et seq.);
- d) The City may adopt and implement a plan for police protection in the zone;
- e) The City may amend the zoning ordinances of the municipality or county, as appropriate, to promote economic development in the zone;
- f) The City may establish permitting preferences for businesses in the zone;
- g) The City may establish simplified, accelerated, or other special permit procedures for businesses in the zone;
- h) The City may waive development fees for projects in the zone;
- i) The City may create a local enterprise zone fund for funding bonds or other programs or activities to develop or revitalize the zone;
- j) The City may for qualified businesses in the zone, reduce rates charged by a utility owned by the municipality or county, as appropriate;
- k) The City may, in issuing housing finance bonds, give priority to persons or projects in the zone;
- l) The City may, in providing services, give priority to local economic development, educational, job training, or transportation programs that benefit the zone;
- m) The City may sell real property owned by the municipality or county, as appropriate, and located in the enterprise zone in accordance with Section 2303.513; or
- n) The City may waive or reduce the tax abatement application fee to businesses that choose to locate in the zone.

SECTION 3. The enterprise zone areas within the City are reinvestment zones in accordance with the Texas Tax Code, Chapter 312.

SECTION 4. The City of San Antonio City Council directs and designates its Director of Economic Development as the City's liaison to communicate and negotiate with the EDT through the Bank and enterprise project(s) and to oversee zone activities and communications with qualified businesses and other entities in an enterprise zone or affected by an enterprise project.


SECTION 5. The City finds that Toyota Motor Manufacturing Texas, Inc. meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

- a) Toyota Motor Manufacturing Texas, Inc. is a "qualified business" under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site located in an enterprise zone in the governing body's jurisdiction and at least twenty-five percent (25%) of the business' new employees will be residents of an Enterprise Zone or economically disadvantaged individuals; and
- b) There has been and will continue to be a high level of cooperation between public, private and neighborhood entities in the area; and
- c) The designation of Toyota Motor Manufacturing Texas, Inc. as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

SECTION 6. The enterprise project shall take effect on the date of designation of the enterprise project by EDT and terminate on September 4, 2009.

SECTION 7. This ordinance shall be effective on and after the tenth day after passage hereof.

PASSED AND APPROVED this 26th day of August, 2004.


M A Y O R
EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney